

3/22/19

3:11 P.M.

Chapter No. 408

19/SS26/R859

LR 1B/LR

SENATE BILL NO. 2680

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2680

AN ACT TO AMEND SECTION 33-13-159, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE DECISION TO GRANT A TRIAL BEFORE A SUMMARY COURTS-MARTIAL IS RESERVED TO THE SPECIAL OR GENERAL COURT-MARTIAL CONVENING AUTHORITY, RESPECTIVELY; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 33-13-159, Mississippi Code of 1972, is amended as follows:

33-13-159. (1) Subject to Section 33-13-153 of this code, summary courts-martial have jurisdiction to try persons subject to this code, except officers, for any offense made punishable by this code.

(2) Any person given notice of trial by a summary courts-martial may request trial before a special or general courts-martial. The decision to grant this request is reserved to the special or general court-martial convening authority, respectively.

(3) The maximum sentence a summary courts-martial may impose for a single offense is:

(a) A fine of not more than Two Hundred Fifty Dollars (\$250.00);

(b) Reduction to the lowest or any intermediate pay grade, but an enlisted member in a pay grade above E-4 may not be reduced more than four (4) pay grades;

(c) Confinement for not more than thirty (30) days;

(d) Forfeiture of all pay and allowances for any period of confinement;

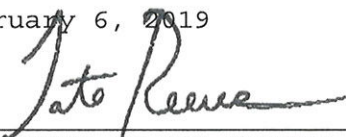
(e) If found to have willfully or maliciously caused any injury to any person or property, restitution in an amount of Three Thousand Five Hundred Dollars (\$3,500.00) or less; and

(f) Any punishment authorized in Section 33-13-31.

(4) Any person given notice of a trial by a summary courts-martial who fails to appear at trial may be tried, convicted and sentenced in absentia.

SECTION 2. This act shall take effect and be in force from and after July 1, 2019.

PASSED BY THE SENATE
February 6, 2019



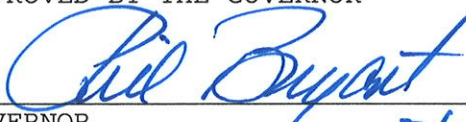
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 12, 2019



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR
3/22/2019
3:11pm